

REMARKS

The present application includes claims 1-27. Claim 27 is new.

New claim 27, which reads:

"A surveillance unit according to claim 1, wherein the surveillance unit is not connected through a wire or wireless connection to a monitor for inspection by a human operator."

finds support at least on page 2, lines 24-27, which read:

"The use of a removable memory card for storing the images eliminates the need for a wireless transmitter or a wire connection. Thus, the detection unit may be a stand alone unit which may be easily moved between different locations."

Independent claim 1

Claims 1-18 and 26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney (EP 0 967 584 A2) in view of Steinberg et al. (U.S. patent 6,006,039). The Examiner stated that it would be obvious to combine the surveillance unit of Courtney with the memory slot of Steinberg.

Applicants respectfully traverse the rejection and submit (as explained in detail below) that the Examiner has not established a *prima facie* case of obviousness, since the Examiner failed to show a teaching in the art to combine Steinberg and Courtney or even any reason in the art to do so.

Claim 1 requires a surveillance unit, comprising a video camera, control circuitry which determines when to store images captured by the camera and a slot for operationally receiving a memory card on which the images are stored.

No prima facie rejection

In order to meet the requirements of MPEP 2143 for establishing a *prima facie* obviousness rejection, the Examiner must show "some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings." The Examiner has not provided any such teaching. The Examiner's statement that "By using a removable memory card in the surveillance unit disclosed by Courtney it would make the surveillance unit more versatile, making exchanging images and parameters with other devices easier", is based on the teachings of the present application and is impermissible hindsight. Courtney does not even hint that there is a need for making exchanging images and parameters easier, and in fact does not consider exchanging images through a removable card as being easier at all.

Courtney teaches away

Courtney discloses a surveillance unit that includes a hard disk drive and is connected through a network to a central processor. Courtney is quite content with connection through a network to a central processor. One of the problems addressed by Courtney is "even if an owner is notified by a page or telephone call of a problem or other event of interest, there is no convenient way for the owner to determine whether the event represents a true problem or just a false alarm ..." (Column 3, lines 12-16). The use of the slot to view the images would require that a human supervisor go to the event location and therefore is contrary to the goal of Courtney.

The hard disk drive in Courtney is used solely for storage of images and no where is it suggested to be used for transfer of images. As stated in paragraphs [0056] and [0064] of Courtney, the images are stored in a manner which allows access by a web browser from a remote unit. Paragraphs [0073], [0074] and [0122] of Courtney repeatedly present the remote access to the images via the world wide web (WWW) as an advantage of the system. It therefore is superfluous or even counter to the goal of Courtney to use a removable memory in a slot, and is surely not hinted or suggested.

Long term availability of combined elements

Both surveillance systems using a video camera which provides electrical signals and removable memory units used in cameras, existed for many years before the filing of the present application. Furthermore, camcras with removable memories were known for many years before the filing of Courtney (April 29, 1999). The fact that the elements were available for many years before the filing of the present application but were not combined, indicates that it was not considered obvious in the art to combine these features.

Removable memory

PCMCIA cards were known at least since 1991, nine years before the filing of the present application, as is evident from the document: "Chronology of hand-held computers", by Ken Polsson downloaded from <http://www.islandnet.com/~kpolsson/handheld/>.

The use of a removable memory for transferring images from a camera (not in a surveillance system) was described in US patent 4,937,676 to Finelli et al., which was filed Feb. 10, 1989, more than 11 years before the filing of the present application, and issued June 26, 1990, close to ten years before the filing of the present application. US patent 5,016,107 to

Sasson et al., filed May 9, 1989 and issued May 14, 1991, also describes use of a removable memory card in a camera.

Additional patents describing removable memories, but not in the context of the present invention, were filed in 1991-1992, for example US patent 5,234,351 to Dixon, filed December 7, 1992, and US patent 5,251,082 to Elliott et al., filed June 13, 1991.

Thus, the knowledge that removable memories can be used in cameras was available several years before the filing of Courtney and the present application and if it were considered to use a removable memory in a surveillance unit, evidence would be expected to be found in the art.

Surveillance units

Surveillance units using video cameras and memories were also well known in the art, years before the filing of the present application, as can be seen from U.S. patent 5,229,850 to Toyoshima, filed July 29, 1991 and issued July 20, 1993. Additional patents that describe surveillance systems with memories, include U.S. patent 5,237,408 to Blum et al., filed August 2, 1991 and issued August 17, 1993 and U.S. patent 5,982,418 to Ely, filed April 22, 1996.

Reasons why it was not considered obvious to combine

Many considerations prevented people from using slots for memory cards in surveillance units. These considerations include, for example:

- preventing damage and/or image erasure by intruders;
- access to the images although the surveillance unit may be placed in locations beyond human reach;
- practical access to surveillance units which belong to a large network of units; and
- storing data amounts required for surveillance purposes.

It was applicants' determination, as stated on page 2 of the present application, that the advantage of having a portable stand alone unit which does not require a wire connection or wireless transmission of images outweighs any disadvantages associated with the above considerations.

In addition, on page 9, lines 18-27, of the application, applicants have suggested methods to overcome some problems associated with the above considerations, which are unique to surveillance units.

Applicants had also determined that even if wire connections are provided, using an additional slot for a memory card would be advantageous, allowing a backup for cases in which an intruder intentionally damaged a wire connection (page 11, lines 10-13).

New dependent claim 27

The dependent claims are allowable at least by virtue of their parent claim. Nonetheless, at least some of the dependent claims add further patentability over the art of record. Claim 27, for example, requires that the surveillance unit is not connected through a wire or wireless connection to a monitor for inspection by a human operator. This is not taught or suggested by Courtney and as discussed above is completely counter to the teachings of Courtney.

Independent claim 19

Claims 19-25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Steinberg et al. (U.S. patent 6,006,039) in view of Courtney (EP 0 967 584 A2).

Claim 19 requires storing operational data of a surveillance unit on a removable memory card and inserting the memory card into a predefined slot of the surveillance unit.

The Examiner stated that Steinberg discloses a method of controlling the operation of a camera unit, that Courtney discloses a surveillance unit that can be controlled by an external device and that it would be obvious to combine the references.

Applicants respectfully note that this rejection was presented in a previous office action and applicants responded to the rejection in length. The Examiner, however, did not relate to applicants arguments.

Applicants respectfully traverse the rejection and state that a *prima facie* case of lack of inventive step for this claim was not established, since the combination of the references would not result in the invention as claimed and the Examiner did not bring any teaching in the prior art to combine Steinberg and Courtney. In fact, the fields of portable digital cameras and surveillance units are quite different.

MPEP 2143 requires that the Examiner meet three basic criteria, for establishing a *prima facie* obviousness rejection. "First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. ... The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure."

The Examiner has not provided any suggestion or motivation in the prior art to combine the references. While portable cameras are generally held by their owners and are easily accessible for receiving a storage device, surveillance units are generally not held by their owners and in many cases are placed in out-of-reach locations. Therefore, in the art, surveillance units are generally configured through wire or wireless connection to a control station.

Furthermore, while cameras are generally used under many different conditions and for various tasks and therefore require a facility to modify the operating system and behavioral parameters in the field (Steinberg (Col. 1, lines 52-56)), surveillance units are generally used in a single location, for a single task and do not require frequent changes in configuration.

In addition, applicants are not aware of surveillance units that have the ability to use different operating systems. In general, the configuration of surveillance units was considered much simpler than the configuration of a camera as presented by Steinberg.

Accordingly, even if the Examiner is correct in stating that it is desirable to have a stand alone surveillance unit, there is no reason to assume that it will be configured differently than by the methods discussed on page 2, lines 10-16 of the present application, either by connecting a monitor or by a control panel on the surveillance unit.

Applicants further note that a combination of Steinberg and Courtney would not result in the invention of claim 19. Col. 4, lines 34-45, of Courtney relate to a control section on the system, which receives images from a detector. The portable unit is used to change characteristics on the control section and not on the detector. Therefore, even if the wireless communication link of Courtney were replaced by a removable memory, a replacement which is not taught or suggested by the art and lacks any motivation, the memory would be inserted into a slot of the control station and not in the surveillance unit.

The dependent claims are allowable at least by virtue of their parent claims.

Conclusion

Applicant respectfully notes that the present claims were indicated as novel and having an inventive step in the international stage of the present application.

In view of the above remarks, applicants submit that the claims are patentable over the prior art. If the Examiner does not agree regarding one or more of the claims, but is of the opinion that a telephonic conversation may forward the present application toward allowance, applicants respectfully request that the Examiner call the undersigned at 1 (877) 428-5468.

Please note that this is a direct *toll free* number in the US that is answered in the undersigned's Israel office. Israel is 7 hours ahead of Washington. Our normal work week is Sunday through Thursday.

Respectfully submitted,
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